

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:08-CR-00017-LRH-RAM

ORDER

v.

PEDRO A. VELASQUEZ,

Defendant.

Rene L. Valladares, Federal Public Defender, and Nisha Brooks-Whittington, Assistant Federal Public Defender, have filed a motion to withdraw (#146) as defendant's counsel of record. The court received and reviewed the reduction of sentence report on defendant prepared by Probation. The report concludes defendant is ineligible for a sentence reduction pursuant to 18 U.S.C. § 3582(c)(2), Amendment 782, and pursuant to U.S.S.G. § 1B1.10, effective November 1, 2014, as he was sentenced to the statutory minimum sentence and in accord with 21 U.S.C. § 851(a)(1).

The court appointed defendant counsel to determine whether he qualifies for a reduction of sentence. Based upon Probation's report, counsel does not intend to file a motion for a reduction. The court will therefore grant the motion to withdraw.

Before being granted counsel, defendant filed a motion (#144) seeking Discretionary Relief pursuant to 18 U.S.C. § 3582(c)(2). The court does not find a response from the United States Attorney's office is necessary for a ruling on

1 defendant's motion. The defendant was sentenced to the statutory minimum sentence
2 available and is therefore not entitled to a reduction.

3 Accordingly, IT IS HEREBY ORDERED that defendant's motion to withdraw
4 (#146) is **GRANTED**.

5 IT IS FURTHER ORDERED that defendant's motion (#144) seeking
6 Discretionary Relief pursuant to 18 U.S.C. § 3582(c)(2) is **DENIED**.

7 IT IS SO ORDERED.

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9 DATED this 24th day of April, 2015.

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11 LARRY R. HICKS
12 UNITED STATES DISTRICT JUDGE
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